

RESOLUTION NO. 07-026

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AUTHORIZING THE MAYOR AND THE CITY CLERK, AS ATTESTING WITNESS, ON BEHALF OF THE CITY, TO ENTER INTO A THREE-YEAR LEASE-PURCHASE AGREEMENT, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, WITH CIT COMMUNICATION FINANCE CORPORATION, A DELAWARE CORPORATION, IN AN AMOUNT NOT TO EXCEED \$582,000.00 IN PRINCIPAL WITH ADDITIONAL INTEREST CONSISTING OF 6 SEMI-ANNUAL PAYMENTS OF \$103,648.00 FOR THE USE OF A CITYWIDE TELEPHONE SYSTEM WITH VOICE MAIL FOR 700 USERS, 700 SETS, AND EQUIPMENT FOR TRUNKING, AND A ONE-YEAR WARRANTY AND TWO YEARS OF MAINTENANCE SERVICE FOR THE TELEPHONE SYSTEM, WITH THE OPTION TO PURCHASE AT THE END OF THE LEASE TERM FOR \$1.00 AND WAIVE COMPETITIVE BIDDING REQUIREMENTS BECAUSE OF TIME CONSTRAINTS CAUSED BY CIRCUMSTANCES WHERE THE CITY HAS REACHED CAPACITY LIMITS.

WHEREAS, the City finds it advantageous to the City to waive competitive bidding requirements to enter into a lease for use and purchase of a citywide telephone system due to time constraints caused by circumstances where the City has reached capacity limits; and

WHEREAS, the City finds that it is in its best interest to enter into a Lease-Purchase Agreement with CIT Communication Finance Corporation for procuring the telephone system. The City desires to designate this Agreement as a "qualified tax exempt obligation" of the City for the purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

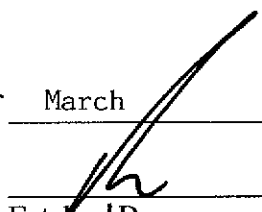
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The foregoing facts and recitations contained in the preamble to this resolution are hereby adopted and incorporated by reference as if fully set forth herein.

Section 2: The City of Hialeah, Florida hereby authorizes the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a three-year Lease-Purchase Agreement, in a form acceptable to the City Attorney, with CIT Communication Finance Corporation, a Delaware corporation, in an amount not to exceed \$582,000.00 in principal with additional interest, consisting of 6 semi-annual payments of \$103,648.00 for the use of a citywide telephone system with voice mail for 700 users, 700 sets, and equipment for trunking, and a one-year warranty and two years of maintenance service, with the option to purchase at the end of lease term of \$1.00 and waive competitive bidding requirements because of time constraints caused by circumstances where the City has reached capacity limits.

Section 3: The City of Hialeah, Florida hereby designates the foregoing Lease-Purchase Agreement by and between the City of Hialeah and Government Capital Corporation as a "qualified tax exempt obligation" for the purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

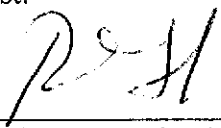
PASSED AND ADOPTED this 13 day of March, 2007.



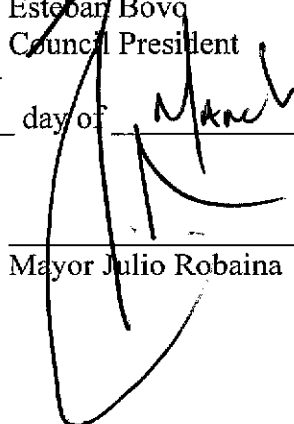
Esteban Bovo
Council President

Attest:

Approved on this 15 day of March, 2007.

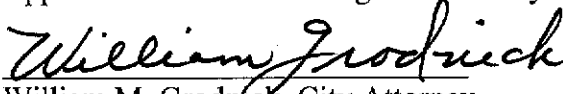


Rafael E. Granado, City Clerk



Mayor Julio Robaina

Approved as to form and legal sufficiency:



William M. Grodnick, City Attorney

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Resolution was adopted by a unanimous vote with Councilmembers Bovo, Caragol, Casals-Muñoz, Gonzalez, Hernandez, Miel and Yedra voting "Yes".